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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/725,781	12/02/2003	Jin-Woong Kim	678-1097 (P10649)	3826
28249 7590 04/23/2007 DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. SUITE 702 UNIONDALE, NY 11553			EXAMINER VU, MICHAEL T	
			ART UNIT 2617	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/23/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/725,781

Applicant(s)

KIM ET AL.

Examiner

Michael Vu

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2,3 and 6 is/are allowed.
- 6) ☒ Claim(s) 1,4 and 5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1, and 4-5 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, and 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over International Publication No. WO 01/33782 A1 refers to as Nokia, in view of Aktas (US 2003/0028604).

Regarding **claim 1**, Nokia teaches a method for transmitting and receiving a multimedia message in a mobile communication system (Abstract), the method comprising the steps of: producing summarized multimedia information, which includes information on a kind of each of data types and a number of each kind of the data types in the mobile communication system (page 8, line 25 to page 9, line 20); upon receipt of

Art Unit: 2617

the response message by the mobile communication system (page 9, lines 20 to 25), producing and transmitting multimedia information (page 9, lines 20 to 25); upon receiving the multimedia information by a terminal (page 9, lines 20 to 25), providing the multimedia information to the user (page 9, lines 20 to 25), and requesting multimedia data corresponding to a data type selected by the user (page 12, lines 18 to 38); and transmitting the corresponding multimedia data from the mobile communication system to the terminal in response to the request from the terminal (page 13, line 31 to page 16, line 9)

But Nokia is silent on transmitting the summarized multimedia information in a signal receipt notification message, wherein the data types are included in the multimedia message; upon receiving the signal receipt notification message in a terminal, providing the signal receipt notification message to a user, and transmitting a response message according to a selection by the user.

However, Aktas teaches a method and apparatus such as a cellular phone, PDA, and pager etc., particularly, an integrated multimedia messaging system being used to access a stored message in which determining target device type; and summarizing message content based on target device type by utilizing advanced media conversion methods, analysis and summarization of message content, and intelligent forwarding concepts. It provides access device and media sensitive intelligence for a mailbox when retrieving or forwarding a particular message, and the content of messages is automatically summarized, such as the notification of media message with the text message is sent to the PDA and the user is notified [0028-0032, 0051].

Moreover, Aktas further teaches the combination of message filtering, message restructuring, data conversion, data summarization, data selection and notification steps that are configured to handle particular media types for particular target devices. Each user may define a set of rules and parameters for each device type defining how messages are morphed (See paragraphs [0036-0053]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Nokia, such that transmitting the summarized multimedia information in a signal receipt notification message, wherein the data types are included in the multimedia message; upon receiving the signal receipt notification message in a terminal, providing the signal receipt notification message to a user, and transmitting a response message according to a selection by the user, to provide the handheld devices such cellular phone or PDA with the unlimited capabilities and more convenient to retrieve different types of messages for saving the devices battery consumption.

Regarding **claims 4-5**, Nokia teaches a method for transmitting and receiving a multimedia message in a mobile communication system (Abstract), comprising: producing and transmitting summarized multimedia information on a plurality of data types included in the multimedia message in response to the received response to the message receipt message (page 8, line 25 to page 9, line 20, page 12, lines 18 to 38); and transmitting multimedia data in response to a request for multimedia data (page 13, line 31 to page 16, line 9).

But Nokia is silent on producing and transmitting a message receipt notification message including summarized multimedia information on a plurality of data types included in the multimedia message; receiving a response to the message receipt notification message.

However, Aktas teaches a method and apparatus such as a cellular phone, PDA, and pager etc., particularly, an integrated multimedia messaging system being used to access a stored message in which determining target device type; and summarizing message content based on target device type by utilizing advanced media conversion methods, analysis and summarization of message content, and intelligent forwarding concepts. It provides access device and media sensitive intelligence for a mailbox when retrieving or forwarding a particular message, and the content of messages is automatically summarized, such as the notification of media message with the text message is sent to the PDA and the user is notified [0028-0032, 0051].

Moreover, Aktas further teaches the combination of message filtering, message restructuring, data conversion, data summarization, data selection and notification steps that are configured to handle particular media types for particular target devices. Each user may define a set of rules and parameters for each device type defining how messages are morphed (See paragraphs [0036-0053]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Nokia, such that transmitting the summarized multimedia information in a signal receipt notification message, wherein the data types are included in the multimedia message; upon receiving the signal receipt notification

Art Unit: 2617

message in a terminal, providing the signal receipt notification message to a user, and transmitting a response message according to a selection by the user, to provide the handheld devices such cellular phone or PDA with the unlimited capabilities and more convenient to retrieve different types of messages for saving the devices battery consumption.

Allowable Subject Matter

4. **Claims 2-3, and 6** are allowed.

5. The following is an examiner's statement of reasons for allowance:

Claims 2-3, and 6 are allowed.

6. The following is an examiner's statement of reasons for allowance: The prior art of record does not reasonably teach or Suggest the combination of steps recited in independent claim 2, including a method for transmitting and receiving a multimedia message in a mobile communication system, the method comprising the steps of: receiving in the mobile communication system a multimedia message including a plurality of data types from a terminal; storing the received multimedia message while separately storing the data types; producing summarized multimedia information, which includes information on a kind of each of the data types and a number of each kind of data types; transmitting the summarized multimedia information in a signal receipt

Art Unit: 2617

notification message; upon receiving the signal receipt notification message in a terminal, providing the signal receipt notification message to a user; upon receipt of the response message by the mobile communication system producing and transmitting multimedia information; upon receiving the multimedia information by the terminal, providing the multimedia information to the user, and requesting multimedia data corresponding to a data type selected by the user; and transmitting the corresponding multimedia data from the mobile communication system to the terminal in response to the request from the terminal.

7. The prior art of record does not reasonably teach or suggest the combination of steps recited in independent claim 3, including a mobile communication system for transmitting and receiving a multimedia message, the system comprising: an LME for receiving a multimedia message including a plurality of data types from a first terminal storing the received multimedia message while separately storing the data types, transmitting basic data type information and, upon receiving a request for multimedia data from a second terminal, transmitting multimedia data of a data type corresponding to the request; and an LMSC for producing and transmitting summarized multimedia information, which includes information of a kind of each of the data types and a number of each kind of data types, to the second terminal, upon receiving a response message from the second terminal, producing and transmitting multimedia information, and transmitting the request for multimedia data from the second terminal to the LME; wherein the second terminal transmits a corresponding response message upon receipt

of the summarized multimedia information, receives the multimedia information, and requests multimedia data corresponding to a data type selected by a user.

8. The prior art of record does not reasonably teach or suggest the combination of steps recited in independent claim 6, including a method for transmitting and receiving a multimedia message in a mobile communication system, the method comprising the steps of: receiving a multimedia message including a plurality of data types from a terminal, storing the received multimedia message while separately storing the data types, and transmitting basic data type information, in an LME; producing summarized multimedia information, which includes information of a kind of each of the data types and a number of each kind of data types, in an LMSC; transmitting a signal receipt notification message which includes the summarized multimedia information, in an SMSC; and receiving the signal receipt notification message, providing the summarized multimedia information to a user, and transmitting a response message according to a selection by the user, in a receiving terminal; wherein the LMSC produces multimedia information, upon receipt of the response message; wherein the receiving terminal receives multimedia information, provides the multimedia information to the user, and request multimedia data corresponding to a data type selected by the user; wherein the LMSC receives the corresponding multimedia data from the LME in response to the request, and transmits the corresponding multimedia data to the receiving terminal.

Art Unit: 2617

9. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Vu whose telephone number is (571)272-8131.

The examiner can normally be reached on 8:00am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Michael Vu
Examiner

